FILED IN OPEN COURT
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Julie Richards Johnston, Clerk
US District Court
Eastern District of NC

WMG

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:15-CR-334-1BO(3)
NO. 5:15-CR-334-2BO(3)
NO. 5:15-CR-334-3BO(3)
NO. 5:15-CR-334-4BO(3)
NO. 5:15-CR-334-5BO(3)
NO. 5:15-CR-334-6BO(3)
NO. 5:15-CR-334-7BO(3)
NO. 5:15-CR-334-8BO(3)
NO. 5:15-CR-334-9BO(3)
NO. 5:15-CR-334-10BO(3)

UNITED STATES OF AMERICA)
)
v.)
)
TENDAI MUNYARADZI MAKONI)
MALAMIN OUSMAN SONKO)
MARK TONY EVANS)
MOMAR TALLA NDIR) I N D I C T M E N T
SALIFU JALLOW)
PA AMBROSE MENDY)
ABDOULAIE FRANCIS LOWE NICOLAS)
DABED DEL JESUS SANCHEZ)
JOSEPH DAREN HOLCOMB)
AARON KENT DAVIS)

The Grand Jury charges that:

INTRODUCTION

1. During times material to this Indictment, within the Eastern District of North Carolina and elsewhere, TENDAI MUNYARADZI MAKONI, MALAMIN OUSMAN SONKO, MARK TONY EVANS, MOMAR TALLA NDIR, SALIFU JALLOW, PA AMBROSE MENDY, ABDOULAIE FRANCIS LOWE NICOLAS, DABED DEL JESUS SANCHEZ, JOSEPH DAREN HOLCOMB,

AARON KENT DAVIS, DEFENDANTS herein, and other conspirators, known and unknown to the grand jury, engaged in a scheme to possess, use, and traffic in stolen credit and debit card account numbers, and counterfeit access devices. These same individuals further conspired to launder the proceeds of these crimes by purchasing large quantities of cigarettes for later resale.

2. To carry out the scheme, a member of the conspiracy acquired stolen credit or debit card account information, hereinafter collectively referred to as "Stolen Accounts". The Stolen Accounts belonged to individuals located across the United States and abroad. The Stolen Accounts were also maintained by banks located across the United States and abroad.

3. A member of the conspiracy encoded information from the Stolen Accounts onto the magnetic strips of plastic credit or gift cards in a manner that altered them from their original form at the time they were manufactured by the issuer. These altered or re-encoded cards are referred to herein as "Counterfeit Cards."

4. After acquiring a number of Counterfeit Cards, a member of the conspiracy traveled to a number of Walmart stores located in the Eastern District of North Carolina and elsewhere. In

some instances, multiple members of the conspiracy traveled together to the same Walmart.

5. While at the Walmart stores, a member of the conspiracy purchased numerous Walmart gift cards using the Counterfeit Cards to fund such purchase. By swiping the Counterfeit Cards, Walmart's card processing systems interacted with banks and transaction intermediaries with custody over the Stolen Accounts in various states via interstate wire transmissions, and thereby affected interstate commerce. The conspirators frequently purchased several, genuine Walmart gift cards using the Stolen Accounts encoded in the Counterfeit Cards to fund such purchase.

6. After acquiring a number of gift cards, a member of the conspiracy took the genuine gift cards to one of numerous Sam's Club stores located in the Eastern District of North Carolina and elsewhere. In some instances, multiple members of the conspiracy traveled together to the same Sam's Club.

7. While at the Sam's Club, a member of the conspiracy purchased numerous cartons of cigarettes using the genuine gift cards. By swiping the genuine gift cards at the point of sale, Sam's Club's card processing systems interacted with the transaction intermediary for the Walmart gift cards located in Arizona via interstate wire transmissions, and thereby affected

interstate commerce. The conspirators frequently spent several thousand dollars during a single cigarette purchase event.

8. After purchasing a large quantity of cigarettes, member of the conspiracy sold the cigarettes to a vendor in exchange for payment.

COUNT ONE
Conspiracy to Commit Access Device Fraud
18 U.S.C. § 1029(b)(2)

The Conspiracy

9. Beginning at a time unknown, but no later than April of 2012, and continuing to a time unknown, but no later than September of 2015, within the Eastern District of North Carolina, and elsewhere, the defendants, TENDAI MUNYARADZI MAKONI, MALAMIN OUSMAN SONKO, MARK TONY EVANS, MOMAR TALLA NDIR, SALIFU JALLOW, PA AMBROSE MENDY, ABDOULAIE FRANCIS LOWE NICOLAS, DABED DEL JESUS SANCHEZ, JOSEPH DAREN HOLCOMB, and AARON KENT DAVIS, did knowingly combine, conspire, confederate, and agree with others known and unknown to the grand jury to knowingly and with intent to defraud, to:

(a) use and traffic in counterfeit access devices, to wit, counterfeit gift cards, said trafficking and use affecting interstate and foreign commerce, in violation of Title 18, United States Code, Sections 1029(a)(1) and (c)(1)(A)(i);

(b) knowingly and with intent to defraud, traffic in and use one or more unauthorized access devices during any one year period, and by such conduct, obtain anything of value aggregating $1,000 or more during that period, in violation of Title 18, United States Code, Sections 1029(a)(2) and (c)(1)(A)(i);

(c) knowingly and with intent to defraud possess fifteen or more devices which are counterfeit or unauthorized access devices, in violation of Title 18, United States Code, Sections 1029(a)(3) and (c)(1)(A)(i); and

(d) knowingly and with intent to defraud, have custody and control of, and possession of, access device-making equipment, in violation of Title 18, United States Code, Sections 1029(a)(4) and (c)(1)(A)(ii).

Purpose of the Conspiracy

10. It was the purpose of the conspiracy for the conspirators to benefit from the possession and use of Stolen Accounts and Counterfeit Cards.

Manner and Means of the Conspiracy

11. Introductory paragraphs 1 through 5 are incorporated herein as though fully set forth in this count.

Conduct Engaged In By the Conspirators In Furtherance of the Offense

12. In furtherance of the conspiracy, and to effect the objects thereof, there were committed in the Eastern District of North Carolina and elsewhere various overt acts by the conspirators including, but not limited to:

(a) Acquiring Stolen Accounts and credit card encoding equipment, including computers, software, and read/write devices;

(b) creating Counterfeit Cards using the Stolen Accounts and device-making equipment;

(c) transporting the Counterfeit Cards to and from Walmart stores;

(d) purchasing gift cards and other items using the Counterfeit Cards and Stolen Accounts;

(e) transporting to Sam's Club locations in vehicles the gift cards purchased using Counterfeit Cards and Stolen Accounts; and

(f) transferring to other conspirators the gift cards purchased using Counterfeit Cards and Stolen Accounts;

All in violation of Title 18, United States Code, Section 1029(b)(2).

COUNT TWO
Conspiracy to Launder Monetary Instruments
18 U.S.C. § 1956(h)

The Conspiracy

13. Beginning at a time unknown, but no later than April of 2012, and continuing to a time unknown, but no later than September of 2015, within the Eastern District of North Carolina, and elsewhere, the defendants, TENDAI MUNYARADZI MAKONI, MALAMIN OUSMAN SONKO, MARK TONY EVANS, MOMAR TALLA NDIR, SALIFU JALLOW, PA AMBROSE MENDY, ABDOULAIE FRANCIS LOWE NICOLAS, DABED DEL JESUS SANCHEZ, JOSEPH DAREN HOLCOMB, and AARON KENT DAVIS, did knowingly combine, conspire, confederate, and agree with others known and unknown to the grand jury to commit offenses against the United States in violation of Title 18, United States Code, Section 1956, to wit:

(a) to knowingly conduct and attempt to conduct a financial transaction affecting interstate and foreign commerce, which involved the proceeds of specified unlawful activities, that is:

(1) Using and trafficking in counterfeit access devices, to wit, counterfeit gift cards, said trafficking and use affecting interstate and foreign commerce, in violation of Title 18,

United States Code, Sections 1029(a)(1) and (c)(1)(A)(i);

(2) knowingly and with intent to defraud, trafficking in and using one or more unauthorized access devices during any one year period, and by such conduct, obtaining anything of value aggregating $1,000 or more during that period, in violation of Title 18, United States Code, Sections 1029(a)(2) and (c)(1)(A)(i);

(hereinafter collectively referred to as the "SUAs") with the intent to promote the carrying on of said SUAs, and while conducting and attempting to conduct such financial transaction knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i); and

(b) to knowingly conduct and attempt to conduct financial transactions affecting interstate commerce and foreign commerce, which transactions involved the proceeds of specified unlawful activity, that is, the SUAs in subparagraph (a)(1) and (a)(2) of this Count, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, and while conducting and attempting to conduct such financial transactions, knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

MANNER AND MEANS

14. Introductory paragraphs 1 through 8 are incorporated herein as though fully set forth in this count.

All in violation of Title 18, United States Code, Section 1956(h).

COUNTS THREE THROUGH TWENTY-ONE
Access Device Fraud and Aiding and Abetting
***18 U.S.C.* §§ 1029(a)(1), (c)(1)(A)(i), and 2**

15. Paragraphs 1 through 8, are incorporated herein as though fully set forth in this count.

16. On or about the dates set forth in the table below, in the Eastern District of North Carolina and elsewhere, the defendants identified in each count on the table below, aiding and abetting each other, did knowingly and with intent to defraud, use and traffic in at least one counterfeit access device, to wit, Counterfeit Cards encoded with the Stolen

Accounts identified in each row of the table below, in and affecting interstate commerce:

Count	Defendant	Date	Location	Stolen Account
3	MARK TONY EVANS	5/20/2013	Walmart, ~~Roxboro~~ Henderson, NC	*6602
4	MARK TONY EVANS	5/20/2013	Walmart, ~~Roxboro~~ Oxford, NC	*5145
5	MALAMIN OUSMAN SONKO	9/5/2013	Walmart, Apex, NC	*6378
6	MALAMIN OUSMAN SONKO	9/8/2013	Walmart, Apex, NC	*7728
7	MOMAR TALLA NDIR	9/23/2013	Walmart, Apex, NC	*7728
8	MOMAR TALLA NDIR	10/3/2013	Walmart, Apex, NC	*4979
9	SALIFU JALLOW	9/5/2013	Walmart, Fayetteville, NC	*9104
10	SALIFU JALLOW	9/5/2013	Walmart, Fayetteville, NC	*9377
11	PA AMBROSE MENDY	11/26/2013	Walmart, Wallace, NC	*5481
12	PA AMBROSE MENDY	11/26/2013	Walmart, Wallace, NC	*1402
13	ABDOULAIE FRANCIS LOWE NICOLAS	9/13/2013	Walmart, Apex, NC	*0829
14	DABED DEL JESUS SANCHEZ	3/16/2015	Walmart, Cary, NC	*3268
15	DABED DEL JESUS SANCHEZ	3/17/2015	Walmart, Apex, NC	*3890
16	TENDAI MUNYARADZI MAKONI	5/8/2015	Walmart, Garner, NC	*7716
17	TENDAI MUNYARADZI MAKONI	5/18/2015	Walmart, Clayton, NC	*6567
18	JOSEPH DAREN HOLCOMB	10/4/2013	Walmart, Wake Forest, NC	*5331
19	JOSEPH DAREN HOLCOMB	10/4/2013	Walmart, Wake Forest, NC	*9792

20	AARON KENT DAVIS	12/4/2013	Walmart, Clayton, NC	*6794
21	AARON KENT DAVIS	12/4/2013	Walmart, Smithfield, NC	*5788

Each count in the table above constituting a separate violation of Title 18, United States Code, Sections 1029(a)(1), (c)(1)(A)(i), and 2.

COUNTS TWENTY-TWO THROUGH TWENTY-NINE
Possession of 15 or More Counterfeit/Unauthorized Access Devices And Aiding and Abetting
18 U.S.C. §§ 1029(a)(3), (c)(1)(A)(i), and 2

17. Paragraphs 1 through 8, are incorporated herein as though fully set forth in this count.

18. Between the dates listed in each row of the table below, in the Eastern District of North Carolina and elsewhere, the defendants identified in each row of the table below, aiding and abetting each other, did knowingly and with intent to defraud, possess at least fifteen counterfeit access devices and unauthorized access devices, in and affecting interstate commerce,

Count	Defendant	Date(s)
22	MARK TONY EVANS	5/20/2013
23	MALAMIN OUSMAN SONKO	9/5/2013 through 10/13/2013
24	MOMAR TALLA NDIR	9/14/2013 through 11/23/2013
25	SALIFU JALLOW	9/5/2013 through 11/20/2013
26	DABED DEL JESUS SANCHEZ	3/26/2015
27	TENDAI MUNYARADZI	11/7/2012 through

	MAKONI	8/14/2015
28	JOSEPH DAREN HOLCOMB	9/8/2013 through 10/5/2013
29	AARON KENT DAVIS	4/22/2013 through 1/7/2014

Each count in the table above constituting a separate violation of Title 18, United States Code, Sections 1029(a)(3), (c)(1)(a)(i), ~~(c)(1)(A)(i),~~ and 2.

COUNT THIRTY THROUGH THIRTY-EIGHT
Aggravated Identity Theft and Aiding and Abetting
18 U.S.C. §§ 1028A(a)(1) and 2

19. Paragraphs 1 through 8, are incorporated herein as though fully set forth in this count.

20. On or about the dates set forth in the table below, in the Eastern District of North Carolina and elsewhere, the defendants identified in each count on the table below, aiding and abetting each other, did knowingly possess and use, without lawful authority, a means of identification of another person, to wit, an Stolen Account number belonging to said other person, during and in relation to the crime set forth in each corresponding count of this Indictment identified in the table below, felony violations enumerated in Title 18, United States Code, Section 1028A(c),

Count	Defendant	Date	Corresponding Count
30	MARK TONY EVANS	5/20/2013	3
31	MALAMIN OUSMAN SONKO	9/5/2013	5

32	MOMAR TALLA NDIR	9/23/2013	7
33	SALIFU JALLOW	9/5/2013	9
34	PA AMBROSE MENDY	11/26/2013	12
35	DABED DEL JESUS SANCHEZ	3/17/2015	15
36	TENDAI MUNYARADZI MAKONI	5/8/2015	16
37	JOSEPH DAREN HOLCOMB	10/4/2013	18
38	AARON KENT DAVIS	12/4/2013	21

Each count in the table above constituting a separate violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

COUNTS THIRTY-NINE THROUGH FORTY-ONE
Possession of Device-Making Equipment
And Aiding and Abetting
18 U.S.C. §§ 1029(a)(4), (c)(1)(A)(ii), and 2

21. Paragraphs 1 through 8, are incorporated herein as though fully set forth in this count.

22. On or about the dates identified in each row of the table below, in the Eastern District of North Carolina and elsewhere, the defendants identified in each row of the table below, aiding and abetting each other, did knowingly, and with intent to defraud, have control and custody of, and did possess, device-making equipment, in and affecting interstate commerce:

Count	Defendant(s)	Date	Location
39	MOMAR TALLA NDIR, MALAMIN OUSMAN SONKO, and ABDOULAIE FRANCIS LOWE NICOLAS	9/10/2014	I-85, Durham, and elsewhere
40	DABED DEL JESUS SANCHEZ	3/26/2015	1421 Wilbur Jones Rd, Fuquay-Varina, NC
41	TENDAI MUNYARADZI MAKONI	8/14/2015	3839 Chehaw Drive,

			Raleigh, NC

Each count in the table above constituting a separate violation of Title 18, United States Code, Sections 1029(a)(4), (c)(1)(A)(ii), and 2.

FORFEITURE ALLEGATIONS

23. The defendants are given notice of the provisions of 18 U.S.C. Sections 982(a)(2)(B) and 1029(c)(1)(C). As a result of the foregoing offenses as alleged in Counts 1, 3-29, and 39-41 of this Indictment, the defendant shall forfeit to the United States any and all property constituting, or derived from, any proceeds the said defendant obtained directly or indirectly as a result of the said offense and, in addition, any personal property used or intended to be used to commit the offenses. In addition, as result of the foregoing offense as alleged in Count 2 of this Indictment, the defendant shall forfeit to the United States any and all property involved in such offense, or traceable thereto. The forfeitable property includes, but is not limited to, the following:

1) Walmart Debit Card # ***4543
2) Walmart Debit Card # ***0270
3) Walmart Debit Card # ***0247
4) Walmart Debit Card # ***0288
5) Walmart Debit Card # ***0239
6) Walmart Debit Card # ***0638
7) Walmart Debit Card # ***2507
8) Walmart Debit Card # ***3314

9) Walmart Debit Card # ***6814
10) Walmart Debit Card # ***0687
11) Walmart Debit Card # ***4550
12) Walmart Debit Card # ***4048
13) Walmart Debit Card # ****2499
14) Walmart Debit Card # ****2267
15) Walmart Debit Card # ****6160
16) Walmart Debit Card # ****9429
17) Walmart Debit Card # ****1808
18) Apple iPhone (Black in Case)
19) Apple iPod Silver with charger
20) Garmin Nuvi GPS S/N 2HS513974
21) $404 in Cash
22) Black Leather Wallet
23) Umarex SBG Airsoft Pistol S/N 13K59292
24) Blackberry Cell Phone HEX A000002523B1EF
25) Apple iPhone IMEI 358360067588760
26) Rayovac USB Battery Device
27) Black computer bag
28) Sony PS4 S/N MB271136477
29) Nikon Coolpiz L840 Camera S/N 31009247
30) Asus Ultrabook Laptop S/N D5N0CX252503207
31) Sony PS3 S/N CG513084580
32) Samsung Galaxy S4 Cell Phone
33) Apple iPhone FCCID BCG-E2430A
34) Apple iPhone IMEI 358790055118870
35) Apple iPhone FCCID BCG-E2430A
36) Bag of cell phones/parts/sim cards
37) Sim Card S/N 89014104276782434589
38) Visa Debit Card # ***2481
39) Apple All in One Computer S/N C02MV6V1FY0T
40) Sony Playstation 4 S/N MB013667764
41) Sony Playstation 4 Wireless Adapter S/N 214053000438
42) Xbox 360 S/N 230206134548
43) Amazon Fire TV CL1130
44) Amazon Fire TV CL1130
45) Amazon Fire TV CL1130
46) Amazon Fire TV CL1130
47) Amazon Kindle X43Z60 S/N FCCID YJM-0725
48) iPhone FCCID BCG-E2430A
49) iPhone IMEI 356985067312266
50) Olympus Digital Recorder
51) Nuvi 65LM GPS S/N 3DA066805
52) HP Compaq 6735S Laptop S/N CNU8452361
53) Dell Inspiron Laptop S/N 81Y0SZ1
54) HP PhotoSmart Plus AIO Printer S/N 0789355200219-5

55) HP PhotoSmart 7520 S/N TH463721K0
56) Samsung Cell Phone MEID HEX A0000048A6FEDA
57) Samsung Cell Phone MEID HEX A0000048E796DE
58) Samsung Cell Phone MEID HEX A00000457039B8
59) Samsung Cell Phone MEID HEX A0000044397AF1
60) Samsung Cell Phone MEID HEX A000001433ED77
61) Samsung Cell Phone IMEI 011899/00/821926/5
62) Samsung Cell Phone IMEI 352307059393085
63) Samsung Cell Phone IMEI 352307059393721
64) Samsung Cell Phone MEID HEX A00000483A906C
65) Samsung Cell Phone IMEI 359782/04/316644/6
66) Samsung Cell Phone MEID HEX A0000047DB31B9
67) Alcatel Cell Phone IMEI 012908001295716
68) LG Cell Phone IMEI 012908001295716
69) LG Cell Phone MEID HEX A0000034FEA29A
70) Kyocera Cell Phone HEX A0000027FBQC8F1212
71) Kyocera Cell Phone HEX A0000027FB85D71301
72) Kyocera Cell Phone MEID A0000041A43418
73) Samsung Galaxy S III Cell Phone HEX 99000335158642
74) Samsung Galaxy S III Cell Phone MEID A0000048A5C8A5
75) PNY 32 GB Thumb Drive Black/White
76) PNY 32 GB Thumb Drive Black/White
77) SanDisk 32GB Thumb Drive black/red
78) GPS Nuvi 50LM S/N 336432103
79) Thumb Drive blue/white/black
80) Samsung Galaxy S III Cell Phone HEX 99000206535926
81) Samsung Blackberry Cell Phone A00000405C1DE0
82) Samsung SGH-S150G Cell Phone S/N R21F110F03N
83) LG Cell Phone S/N 308CYKJ032301
84) Samsung Galaxy S4 Cell Phone IMEI 356420052704277
85) Apple iPhone IMEI 358754050917814
86) AC/DC Power Adapter ZF120A-2402500
87) MasterLock Safe silver/gray
88) MRS606 Cardreader/writer S/N A611051830
89) HP Vision E2 Laptop S/N 5CG3160TX5
90) Black Adidas bag with men's clothing
91) Black backpack with men's clothing
92) Walmart Gift Card # ****4095
93) Vanilla Visa Gift Card # ****2540
94) Vanilla Visa Gift Card # ****8542
95) Amex Gift Card # ****0697
96) Vanilla MasterCard Gift Card # ****8907
97) Vanilla MasterCard Gift Card # ****6944
98) Vanilla MasterCard Gift Card # ****9250
99) Amex Gift Card # ****4703
100) Amex Gift Card # ****4572

101) Vanilla MasterCard Gift Card # ****1918
102) Vanilla MasterCard Gift Card # ****8092
103) Vanilla MasterCard Gift Card # ****5986
104) Vanilla MasterCard Gift Card # ****2484
105) Vanilla MasterCard Gift Card # ****2479
106) Vanilla MasterCard Gift Card # ****1421
107) Vanilla MasterCard Gift Card # ****3581
108) Vanilla MasterCard Gift Card # ****3068
109) Vanilla MasterCard Gift Card # ****0917
110) Vanilla MasterCard Gift Card # ****7325
111) Vanilla MasterCard Gift Card # ****9683
112) Vanilla MasterCard Gift Card # ****3669
113) Royal Sovereign Counterfeit Detector
114) Royal Sovereign Money Counter
115) Royal Paper Shredder
116) $60 in cash
117) Macy's Gift Card # ****7955

In addition, the United States seeks a money judgment in an amount constituting the gross proceeds of the offenses.

If as a result of any act or omission of the defendant any forfeitable property:

a) cannot be located upon the exercise of due diligence;

b) has been transferred or sold to, or deposited with, a third person;

c) has been placed beyond the jurisdiction of the court;

d) has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A TRUE BILL

REDACTED VERSION
Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

FOREPERSON

DATE: 11-3-2015

THOMAS G. WALKER
United States Attorney

BY: WILLIAM M. GILMORE
Assistant United States Attorney